



**MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/REDEVELOPMENT AGENCY
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, February 25, 2003, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council/RA Member Jimenez.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: None

PUBLIC COMMENTS

Anita Imazuhii, representing Shelter Against Violent Environments (SAVE) and WINGS, the transitional housing project, announced its annual Chocolate Mardi Gras, scheduled for March 16 at noon at the Marriott in Fremont. She emphasized that SAVE and WINGS also focus on raising awareness for concern for battered and abused individuals.

Rodney Clark, representing SAVE, continued to discuss bringing awareness of the services they provide to City residents in need.

Barbara Swarr said the downtown meeting last night was positive. Her concern was for the parking impact from the new theater complex. She asked that Council reconsider the use of a shuttle between the Foothill parking structure and the proposed theater complex. She also asked for secured bicycle parking area in the downtown area.

Jason Moreno commented on the recent budget session.

CONSENT

1. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting of February 18, 2003

It was moved by Council/RA Member Hilson, seconded by Council/RA Member Henson, and unanimously carried to approve the minutes of the Special Joint City Council/Redevelopment Agency Meeting of February 18, 2003.

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2. Soto Road Bicycle Lane: Award of Contract

Staff report submitted by Deputy Director of Public Works/Engineering Bauman, dated February 25, 2003, was filed.

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 03-031, "Resolution Awarding Contract to Rosas Construction, for the Construction of the Soto Road Bicycle Lane Project No. 6923"

HEARING

3. General Plan Amendment PL-2002-0292 and a Zone Change PL-2001-0340 to Accommodate a 200-Unit Retirement Center - Anthony B. Varni (Applicant)/Livermore Acres, Inc. (Owner) - The Project is Located at 29228 Mission Boulevard

Staff report submitted by Principal Planner Patenaude, dated February 25, 2003, was filed.

Principal Planner Patenaude made the staff presentation noting the site plan, landscape, drawings and elevations of the proposed retirement center. He noted that the Planning Commission recommended that the roofline include breaks to lessen its massiveness. He asked for approval of the Mitigated Declaration and the Mitigated Monitoring Program as well as the General Plan Amendment and the Zone Change Application to Planned Development District. He noted that the precise plan would be returned to the Planning Commission rather than simply to the Planning Director because of its size. Staff indicated that if this application were not approved, the zoning would revert to high density.

Council Member Henson asked about the General Plan Amendment and also asked that staff depict the various egress and ingress from the property. He also asked about the shuttle and whether special signalization would be necessary.

Principal Planner Patenaude noted that this proposal only includes five acres, not other remaining parcels of that property. Staff has concluded that the projected traffic does not warrant a traffic signal. He noted that the applicant has asked that the parking garage footprint be reduced to provide an additional recreational area.

Council Member Hilson asked about the credit for the City of Hayward since this is a project for senior housing complex. He asked what could occur if the proposed project at a future date be converted to standard residential housing.



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Principal Planner Patenaude responded that since this is a Planned Development District, approval is for a senior housing project. As a result, the project must comply with conditions of approval for this type of project. Should the owner wish to change the occupancy of the project and convert it to standard housing there would have to be rezoning. He said if this project would not be developed, the zoning would revert back to present zoning although the General Plan designation would revert to high density residential.

Council Member Hilson then expressed concern that the pool area be enclosed for year-round use. He also asked whether on-site management would be trained to address medical emergencies. He said he was not in agreement that seniors utilize mass transit. He then asked if the complex would provide transportation for residents.

Principal Planner Patenaude indicated that one of the conditions includes a plan for shuttle service.

Council Member Dowling asked about Condition 19, related to sidewalks. He asked if staff has considered furthering sidewalk improvements. He also asked about egresses and ingresses.

City Manager Armas said sidewalk improvements along Mission would be considered through the Route 238 studies. He noted also that staff would look carefully at the traffic impacts at the intersection with Valle Vista.

Council Member Ward also asked about egresses and the proposed circulation. He noted typographical errors in the environmental analysis for mitigation measures. He discussed the building at the corner of Russell and Second Streets, which was designed with a sunroom on top. He summarized that the architectural design is generally good.

Council Member Rodriguez stated that seniors come in all sizes and shapes and do various activities. She asked about the age level of 62 with concern that some individuals retire at 55 years. She also asked about spouses living in this complex. She expressed concern about the burrowing owls. She suggested that the railing on the decks be metal rather than wood since wood tends to splinter and rot. She indicated that one of her prime concerns is noise since the project is right on Mission. She asked if there would be a bus stop near. She also asked about the fault line.

Principal Planner Patenaude responded that staff was recommending age 62 to keep the vehicle load on the site to a minimum. There is a bus stop proposed for nearby. He then noted that the fault line is farther up on the hillside and this project is outside the fault zone.

Council Member Jimenez reported that it was the description of "the neo-Mediterranean style based on Spanish eclectic design" which sold him on approving the project.

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Council Member Ward asked whether the issue of identifying the area around this location and designating it with senior crosswalks signs was raised at all.

City Manager Armas responded that since Mission Boulevard is the main street for this project, City staff would probably have to deal with Caltrans about any issues in this regard.

Council Member Henson asked for further description of the pathway to the parking structure at the site. He also expressed concern about cars getting in and out of the traffic lanes.

Council Member Dowling then asked about the weekend activity at the Mexicali Rose Restaurant near Valle Vista, which might impact parking on the site.

Council Member Hilson asked about the graffiti requirement to be painted out within seven days of occurrence. City Manager Armas suggested that staff begin to cross reference to the City Ordinance so that the time period does not have to be enumerated within the conditions. Council Member Hilson asked staff to send him a memo in this regard. He then asked how the determination was made not to require a stoplight at the intersection.

Deputy Director of Public Works Bauman responded that the analysis was based on projected trips, which did not meet the warrant requirements to justify a traffic light on a State Highway.

Council Member Hilson asked staff to send him a brief memo with the warrant requirements for this highway.

Mayor Cooper expressed concern regarding the condition of approval that addresses tree trimming. She asked for assurance that the trees will be allowed to grow into a beautiful canopy and enhance the streetscape. She inquired on the condition related to Native Americans and the possibility that remains might be buried at this location.

Staff assured her that the trees would be of a size to have established canopies when planted. She was also given further assurance that the condition related to Native Americans was standard and there are procedures that would be followed for any Native American remains on the site. City Manager Armas stated that there are a number of federal standards that would have to be followed in this regard.

Mayor Cooper opened the public hearing at 9:01 p.m.

Charlie Cameron spoke in favor of the project, but expressed his concerns for paved bus stops and bus routes.

Bill Quirk commented in favor of the project and said he felt that seniors do use mass transportation.



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Henry Villalobos supported the project and suggested that the sunroof be enclosed. He also thought a signal light should be installed nearby and a lifeguard be on staff at most times. He also commented on the heavy traffic on Mission Boulevard. He stated that he was familiar with federal laws that involved Native American graves and offered his services in this regard.

Barbara Swarr discussed the difficulties of seniors crossing Mission Boulevard with or without signals. She related the experience of the Casa Sandoval evolution from a senior housing complex to an assisted living situation. She agreed with having a covered swimming pool.

Council Member Ward asked about the location of the bus stop on the opposite side of the street and the navigation for residents. Staff noted that it would be a difficult crossing and is assuming the connection would be made via the shuttle.

Jason Moreno asked about crime prevention, cameras, and lighting, and suggested a security plan for the complex. He also thought there should be an in-house transportation system for those who need medical assistance. He also suggested that speed humps be installed in the driveway to and from the parking structure.

Anthony Varni, attorney for the project, commented that this complex is being designed as a facility for seniors and not as an assisted living center. He added that it would be operated more like a hotel than a hospital. He stated that the complex would have security and video cameras on-site in the complex. With regard to the Valle Vista issue, there are Caltrans implications that prevent some measures of further changes in traffic control. The applicant is willing to consider all the suggestions and questions raised. He agreed that if it makes sense, the swimming pool could be covered. He noted the number of parking spaces that would already be available and discussed the amount of work staff has put into the project plans already.

Ernie Yoshino, the architect, described the project in more detail. He commented that there would be four elevators installed in the building to reach the parking complex and rooftop garden. He commented on staff suggestions related to the roof composition. He showed further depictions of the proposed complex with an enclosed patio area.

Council Member Hilson asked about the possibility of installing flashing warning lights prior to reaching a cross walk.

Deputy Director of Public Works Bauman was not certain if Caltrans would allow this. He indicated that at other areas in the City there are senior-crossing signs.

Council Member Hilson asked whether bathrooms would have safety bars for assistance. He emphasized his request to have the pool enclosed.

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Mr. Yoshino said that the project would be ADA compliant. He added that most likely the pool would be enclosed. Many of the suggestions are still under consideration. Most of the units would be handicapped accessible.

Council Member Jimenez asked whether research has been done on the need for another senior facility in this vicinity.

Mr. Varni indicated that the three senior facilities in the area are at capacity levels.

Council Member Dowling asked whether there is consideration for further security on the site.

Mr. Varni commented that there would be full-time security guards at this location.

Council Member Ward commended the architect, stating that this is one of the better ones that he has seen. He strongly objected to changing the roof to a flat roof, which would give it an institutional look. He asked what happens when a resident becomes inactive.

Mr. Yoshino commented that flat roofs are terrible for maintenance. The only flat roofline will be over the kitchen area. The facility will be strictly for ambulatory residents.

Mr. Tate, the owner, discussed aging in place; he noted that it would not be a skilled nursing facility, nor an assisted living facility. When residents become disabled they will be expected to move on. He indicated that the cost for living in the facility would be between \$2,000-\$3,500 a month with meals. Residents would sign a contract saying if they need total care they would agree to move on.

Council Member Henson asked where the amenities would be located.

Mr. Yoshino said most of the small shops would be located on the upper floors. The coffee shop might be on the ground floor. He added that corners might be used for convenient stores and exercise classes as well as a library area for private readings. Many of these areas are scattered throughout the buildings.

Mayor Cooper closed the public hearing at 9:44 p.m.

Council Member Ward moved, seconded by Council Member Hilson, to approve the Zone Change and the General Plan Amendment. He said this is the first major improvement along Mission Boulevard. He added that this is an excellent beginning. As part of his motion, he asked staff to make the indicated changes to the Negative Declaration. He highly favored the architecture.

Council Member Henson was pleased with the proposed project. He favored the design of the facility, nestled under the foothills, with a campus-like atmosphere. This project is an important piece to the on-going puzzle that is needed so much on Mission Boulevard. He added that he



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hoped to see a skating rink at the airport site. Special needs housing is outstanding for this location. He believed that seniors would use public transit.

It was moved by Council Member Ward, seconded by Council Member Hilson, and unanimously carried to adopt and introduce the following:

Resolution 03-032, "Resolution Adopting Mitigated Negative Declaration and Mitigation Monitoring Program and Approving General Plan Amendment Application No. 2002-0292 and Zone Change Application 2001-0340"

Introduce Ordinance 03-___, "An Ordinance Reclassifying Certain Properties Located on Mission Boulevard Opposite the Intersection of Valle Vista Avenue Pursuant to Zone Change Application PL-2001-0340"

After the motion was passed, City Manager Armas clarified that the precise plan would go before the Planning Commission.

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper asked Council Member Dowling to adjourn the meeting at 9:50 p.m., in memory of Frances Hendley, mother of Human Services Commissioner Peter Hendley.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, Redevelopment Agency

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